

REMARKS

Claims 1, 4, 13 and 14 are amended and Claims 2 and 3 are cancelled. Claims 1 and 4-14, as amended, remain in the application. No new matter is added by the amendments to the claims.

The Rejections:

In the Office Action dated January 11, 2006, the Examiner rejected Claims 1-14 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner stated that Claim 1 is vague and indefinite because it is unclear as to what qualifies as a "flat-belt-like" support and Claim 2 is vague and indefinite because it is unclear as to what qualifies as "substantially" triangular and trapezium shaped.

The Examiner rejected Claims 1, 2 and 5-8 under 35 U.S.C. 103(a) as being unpatentable over Baranda (WO 99/43589) in view of Heinz (2003/121729). However, in the support for the rejections, the Examiner referred to Claims "1-4" (page 2), Claim "10" (page 4), Claims "11, 13-14" (page 5) and Claim "12" (page 6), but Claims 3, 4, 10, 11, 13 and 14 were not listed as being rejected.

The Examiner rejected Claims 1, 5 and 6 under 35 U.S.C. 103(a) as being unpatentable over Baranda in view of Danhauer (2002/0098935). The Examiner admitted that Baranda does not disclose a wedge-ribbed belt that has a plurality of transverse grooves formed on the running surface or at least two wedge-ribbed belt strands arranged in parallel. The Examiner stated that Danhauer discloses a "Fabric Cushion V-Ribbed Belt" as claimed (See Figs. 1-2 and respective portions of the specification) wherein a belt (10) has a plurality of ribs and grooves formed in the running surface and extending in parallel in a longitudinal direction on the support means (See Sect. 0017 & Figs. 1-2). The Examiner noted, furthermore, Danhauer discloses that the belt (10) is provided with a plurality of transverse grooves (34) (See Sect. 0025) and additionally the belt (10) has at least two wedge-ribbed belt strands arranged in parallel (See Figs. 1-2). According to the Examiner, it would have been obvious to a person of ordinary skill in the art to modify the apparatus of Baranda to include the teachings of Danhauer and provide a wedge-ribbed belt with a plurality of ribs and grooves formed in the running surface as well as transverse grooves and

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ribbed strands that so that the belt could provide better traction, increased flexibility, and a higher load capacity.

The Examiner rejected Claim 9 under 35 U.S.C. 103(a) as being unpatentable over Baranda in view of Heinz in further view of Faletto (6471012).

The Response:

Applicant amended Claim 1 to overcome the rejection under 35 U.S.C. 112, second paragraph, and amended Claim 14 in a similar manner.

The Heinz U.S. Patent Application Publication No. 2003/0121729 was filed on January 2, 2002. The Heinz filing date is subsequent to the November 23, 2001 filing date of EP Patent Application No. 01811132.8 from which Applicant claims priority through PCT application CH02/00633. Thus, the Heinz published patent application is not prior art to Applicant. Consequently, Applicant only addresses below the rejection of Claims 1, 5 and 6 based upon Baranda and Danhauer.

Applicant amended Claim 1 to include the subject matter of cancelled Claims 2 and 3 wherein the ribs and grooves in the running surface are one of triangular-shaped and trapezium-shaped in cross section and the ribs and grooves are formed with lateral flanks at an angle in a range of 80° to 100°. Applicant amended Claim 13 to include the subject matter of cancelled Claim 3 wherein the ribs and grooves in the running surface are formed with lateral flanks at an angle in a range of 80° to 100°. Baranda shows a belt having a flat running surface. Danhauer shows a belt with longitudinally extending ribs and grooves, but is silent as to the angle between the lateral flanks. In Fig. 1A of Danhauer, the angle appears to be approximately 45°. Thus, the cited prior art does not show or suggest the invention recited in amended Claims 1 and 4-14.

In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.

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